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Dated: June 27, 2006

Signature:

*Christine Grace*  
(Christine Grace)

Docket No.: ALEX-P02-080  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Bowdish et al.

Application No.: 10/628,109

Confirmation No.: 3542

Filed: July 28, 2003

Art Unit: 1637

For: NESTED OLIGONUCLEOTIDES  
CONTAINING A HAIRPIN FOR NUCLEIC  
ACID AMPLIFICATION

Examiner: Cynthia B. Wilder

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications.

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The non-patent references listed on the attached form PTO/SB/08 are not supplied because they were previously cited by or submitted to the Office in a prior application number 10/014,012, filed December 10, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.


In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. ALEX-P02-080.

Dated: June 27, 2006

Respectfully submitted,

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/628109
				Filing Date	July 28, 2003
				First Named Inventor	Katherine S. Bowdish
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	ALEX-P02-080

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-2004/0072164	04-15-2004	Maruyama et al.	
	AB	US-4,582,788	04-15-1986	Erlch	
	AC	US-4,683,194	07-28-1987	Saiki et al.	
	AD	US-5,130,138	WITHDRAWN		
	AE	US-5,508,108	04-16-1996	Tokiyoski et al.	
	AF	US-5,595,891	01-21-1997	Rose et al.	
	AG	US-5,679,512	10-21-1997	Laney et al.	
	AH	US-5,683,879	11-04-1997	Lancy et al.	
	AI	US-5,744,308	04-28-1998	Guillou-Bonnici et al.	
	AJ	US-5,962,272	10-05-1999	Chenchik et al.	
	AK	US-6,251,639	06-26-2001	Kurn	
	AL	US-6,277,607	08-21-2001	Tyagi et al.	
	AM	US-6,582,938	06-24-2003	Su et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO-WO 97/04131	04/2004	Granahan		✓
	BB	EU-50424	09-18-1988			✓
	BC	EU-84796	02-05-1990			✓
	BD	EU-201184	12-16-1992			✓
	BE	EU-237362	03-11-1992			✓
	BF	EU-258017	03-02-1988			✓
	BG	EU-368684	03-09-1994			✓
	BH	WO-9014430	11-29-1990			✓

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Mullis et al., Cold Spring Harbor Symp. Quant. Biol., 51:263-273	
	CB	Patel et al., Proc. Natl. Acad. Sci. USA, 93:2969-2974 (1996).	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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